

Exhibit “A”

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JAN-03-2006 TUE 03:36 PM WORKMAN NYDEGGER

FAX NO. 8013281707

P. 12



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| APPLICATION NO. | FLILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|--------------|----------------------|---------------------|------------------|
| 10/809,992 | 01/26/2004 | Donald A. Icc | 15436.445.1 | 8491 |
| 23913 | 7390 | 03/08/2005 | | |
| WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY) 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111 | | | EXAMINER | PAUMEN, GARY F |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2833 | |
| DATE MAILED: 03/08/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

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| Office Action Summary | Application No. | Applicant(s) |
|-----------------------|---------------------------|------------------|
| | 10/809,992 | ICE, DONALD A. |
| | Examiner Gary F Paumen | Art Unit 2833 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(b). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If the period for reply specified above is more than thirty (30) days, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any available patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-6 and 8-10 is/are rejected.
- 7) Claim(s) 2 is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

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Claim 7 is objected to because of the following informalities: it is inaccurate to recite the conductors as being separated by the isolating hole, since the hole itself doesn't separate the conductors. It is a punch inserted through the isolating hole that cause the separating to occur. Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 8 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Ma et al 6764336.

Ma et al discloses insert injection molded casing 30 and bent conductors comprising contacts 22 and leads 20. Note that the printed circuit board and optical sub-assemblies are not positively recited and are thus given little patentable weight.

Claims 1, 2, 4, 5, 6, 8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Fang 6764338.

Fang discloses casing 10 defining plane 111 and five bent conductors comprising contacts 21 having holes and leads 23. Contacts 21 are arrayed in a configuration that is substantially parallel to plane 111. Leads 23 extend from

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casing 10 in a direction that is not parallel to plane 111. Note that the printed circuit board and optical sub-assemblies are not positively recited and are thus given little patentable weight.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ma et al.

Ma et al substantially discloses the claimed invention except for the number of contacts being four or five. It would have been obvious to use any number of contacts desired depending on the number of contacts in the mating connector to which the claimed connector is to be mated.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fang.

Fang substantially discloses the claimed invention except for the number of electrical contacts being four. It would have been obvious to use any number of contacts desired depending on the number of contacts in the mating connector to which the claimed connector is to be mated.

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject matter: none of the prior art of record, particularly the applied art, discloses or teaches an isolating hole where the conductors are electrically separated from one another.

The other references cited on Form 892 disclose similar connectors and conductor separation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary F Paumen whose telephone number is 571-272-2013. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2800, ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gary Paumen
Gary Examiner

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|-----------------------------------|---------------------------------------|--|-------------|
| Notice of References Cited | Application/Control No. 10/809,992 | Applicant(s)/Patent Under Reexamination ICE, DONALD A. | |
| | Examiner Gary F Paumen | Art Unit 2833 | Page 1 of 1 |

U.S. PATENT DOCUMENTS

| * | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|--|-----------------|--------------------|----------------|
| A | US-6,764,336 | 07-2004 | Ma et al. | 439/604 |
| B | US-6,764,338 | 07-2004 | Fang, HeSheng | 439/607 |
| C | US-4,689,023 | 08-1987 | Strong et al. | 439/189 |
| D | US-6,817,702 | 11-2004 | Togami et al. | 385/92 |
| E | US-6,796,852 | 09-2004 | Okamoto, Masaki | 439/736 |
| F | US-6,488,534 | 12-2002 | Soga et al. | 439/516 |
| G | US-4,471,158 | 09-1984 | Roberts, Joseph A. | 174/524 |
| H | US-6,588,897 | 02-2004 | Korsunsky et al. | 439/108 |
| I | US-6,652,294 | 11-2003 | Zhang, Jian Qiang | 439/83 |
| J | US-6,527,571 | 03-2003 | Muta et al. | 439/246 |
| K | US-6,006,413 | 07-2000 | Karasik et al. | 439/516 |
| L | US- | | | |
| M | US- | | | |

FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

| * | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|
| U | |
| V | |
| W | |
| X | |

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Status in MM-YYYY format w/o publication status. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-802 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 112404